

ORDINANCE NO. 0-96-96

AN ORDINANCE: VACATING THE STREET RIGHT-OF-WAY RUNNING IN A NORTH-SOUTH DIRECTION OFF OF NORTH CREEK DRIVE BETWEEN LOTS 3 & 4, REPLAT OF LOT 11, BLOCK 3, CONARK 1-40 COMMERCIAL SUBDIVISION IN THE CITY OF CONWAY, ARKANSAS.

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 26th of November, 1996, asking the City Council to vacate and abandon the entire street right-of-way running in a north-south direction between Lots 3 & 4, Replat of Lot 11, Block 3, ConArk 1-40 Commercial Subdivision in the City of Conway, Arkansas; and

WHEREAS, after due notice as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the entire street right-of-way running in a north-south direction, between Lots 3 & 4, Replat of Lot 11, Block 3, ConArk 1-40 Commercial Subdivision in the City of Conway, Arkansas, has been heretofore dedicated to the public as a street right-of-way, that the owner of the property abutting upon the street right-of-way to be vacated has filed with the Council its written consent to the abandonment, and that the public interest and welfare will not be adversely affected by the abandonment of such right-of-way.

NOW, THEREFORE, be it ordained by the City Council of the City of Conway, Arkansas:

SECTION 1. The City of Conway, Arkansas, hereby releases, vacates and abandons all its right, together with the rights of the public generally, in and to the entire street right-of-way running in a north-south direction between Lots 3 & 4, Replat of Lot 11, Block 3, ConArk 1-40 Commercial Subdivision in the City of Conway, Arkansas, such abandonment being made subject to a general utility easement consisting of the North 15 feet of the abandoned street right-of-way.

SECTION 2. Upon such abandonment, title to the east 25 feet of the street right-of-way running in a north-south direction shall be vested in those persons owning lands adjacent to the east boundary of said right-of-way, and that title to the west 25 feet of the abandoned north-south street right-of-way shall be vested in those persons owning the lands adjacent to the west boundary of said right-of-way, subject to the utility easement described in Section 1.

SECTION 3. A copy of this ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of Faulkner County, Arkansas, and recorded in the deed records of Faulkner County, Arkansas.

SECTION 4. This ordinance shall take effect and be in force for and after its passage.

It is hereby ascertained and declared that it is necessary for the protection and preservation of the public health and safety that the foregoing ordinance shall take effect and be in force from and after its passage and publication.

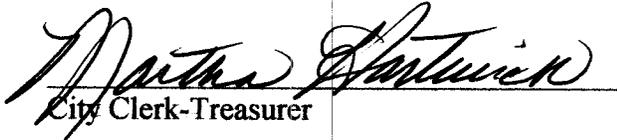
PASSED THIS 13th DAY OF DECEMBER, 1996.

APPROVED:



Mayor

ATTEST:



City Clerk-Treasurer